mwe.com

Lindsay F. Ditlow
Attorney at Law
lditlow@mwe.com
+1 212 547 5425

January 30, 2025

MEMO ENDORSED

Honorable Katherine Polk Failla
U.S. District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Room 2103
New York, New York 10007

Re: ***Cornel Lupu v. BDO USA, P.C. et al.*, No. 1:24-cv-08767-KPF (S.D.N.Y.)**

Dear Judge Failla:

We represent Defendants BDO USA, P.C. ("BDO") and Danielle Spadavecchia ("Ms. Spadavecchia") (collectively, "Defendants"), in the above-referenced matter. We write jointly with counsel for Plaintiff in response to Mr. Kenny's email to counsel yesterday and in accordance with Section 2.C of Your Honor's Individual Rules of Practice in Civil Cases, regarding Your Honor's Order for a proposed Case Management Plan, Scheduling Order, and Joint Letter to be submitted today, January 30, 2025 in preparation for an Initial Pretrial Conference currently scheduled for February 6, 2025 (Dkt. #5). Counsel jointly requests that the Initial Pretrial Conference be adjourned to a later date due to Plaintiff's Amended Complaint being due on or before February 4, 2025 with Defendants' Response due two weeks subsequent (Dkt. #16), and the parties not having any other issues to raise with the Court at this time. There have been no prior adjournments of the conference.

Sincerely,

Lindsay F. Ditlow

Lindsay Ditlow

Cc: All Counsel of Record (via ECF)
        Chambers file-stamped copy via email to Failla@NYSDChambers@nysd.uscourts.gov

**McDermott
Will & Emery**

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Application GRANTED. The initial pretrial conference currently scheduled for February 6, 2025, is hereby ADJOURNED *sine die*.

The Court will contemplate setting an initial pretrial conference in this action after Defendants have answered or otherwise responded to the anticipated amended complaint. (*See* Dkt. #16).

The Clerk of Court is directed to terminate the pending motion at docket entry 19.

Dated: January 31, 2025   SO ORDERED.
           New York, New York

                                     HON. KATHERINE POLK FAILLA
                                     UNITED STATES DISTRICT JUDGE